

**IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF NEW MEXICO**

**FILED**  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

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**STATE OF NEW MEXICO, *ex rel.*  
State Engineer**

**Plaintiff,**

**v.**

**RAMON ARAGON, *et al.*,**

**Defendants.**

*Robert M. ...*  
**69cv07941 JEC-ACE** CLERK-SANTA FE

**RIO CHAMA STREAM SYSTEM  
Rio Gallina, Section 5**

**WITHDRAWAL OF MOTION FOR DEFAULT JUDGMENT  
AND  
MOTION TO SET ASIDE ENTRY OF DEFAULT**

COMES NOW the plaintiff, State of New Mexico, *ex rel.*, State Engineer, by and through his attorneys and moves the Court to set aside the clerk's entry of default for the following defendants:

Conrado Gomez CHGA-02-0002

Mary Irene Gomez CHGA-02-0002

As grounds therefor plaintiff states:

1. The plaintiff's Application for Entry of Default (6151) with respect to the above defendants was filed with the federal district court on February 2, 2001. The Clerk's Certificate of Default (6321) was entered on February 6, 2001.

2. The plaintiff has been credibly informed and believes that while the above defendants have some claim to water rights in Section 5 of the Rio Chama Stream System, they are in fact not the owners of the tract of land mapped under subfile CHGA-02-0002. Additional research and field work will be necessary in this subfile to correctly adjudicate the water rights involved.

6183

3. The plaintiff hereby withdraws the Motion for Default Judgment (6177) filed on February 15, 2001, insofar as that motion pertains to Conrado and Mary Irene Gomez and subfile CHGA-02-0002.

WHEREFORE, the plaintiff State of New Mexico requests the Court to set aside the entry of default for defendants Conrado Gomez and Mary Irene Gomez.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I certify that the foregoing Withdrawal of Motion for Default Judgment and Motion to Set Aside Entry of Default was mailed to the following persons on February 22, 2001.



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